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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 * * * *

11 **UNITED STATES OF AMERICA**)

12 **Plaintiff,**)

13 **v.**)

CASE NO: 2:15-cr-285-APG-PAL

14 **CHARLES BURTON RITCHIE, and**)
15 **BENJAMIN GALECKI,**)
16 **a/k/a ZENCENSE BEN**)
17 **RYAN MATTHEW EATON,**)

STIPULATION TO CONTINUE
PRETRIAL MOTION DEADLINES
CALENDAR CALL AND TRIAL DATE
[PROPOSED ORDER]

17 **Defendant.**)
18)

19 **IT IS HEREBY STIPULATED and AGREED** by and between James E. Keller, Assistant
20 United States Attorney, Charles Anthony Miracle, U.S. Department of Justice, Cole Arnold
21 Radovich, U.S. Department of Justice, and David Z Chesnoff, Esq., and Richard A. Schonfeld,
22 attorney for Defendant, Benjamin Galecki and John Lloyd Snook, III, Esq., attorney for Defendant,
23 Charles Burton Ritchie, and Shawn R. Perez, Esq., attorney for Defendant, Ryan Matthew Eaton,
24 that Defendants shall have to and including January 16, 2018, within which to file the Defendant's
25 pretrial motions.
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1 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties herein, that
2 the government shall have to and including, February 9, 2018, within which to file any and all
3 responsive pleadings.

4 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties herein that
5 the Defendant shall have to and including, February 19, 2018, within which to file any and all replies
6 to said motions.

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8 That the calendar call scheduled for May 15, 2018 at 8:45 a.m. in this matter will commence
9 on the scheduled date and time and is not impacted by this Stipulation. That the trial in this matter
10 currently scheduled for May 21, 2018, at the hour of 9:00 a.m., will commence on the scheduled date
11 and time and is not impacted by this Stipulation.

12 While the parties agree to the above stated extensions of deadlines the parties disagree on
13 whether grounds asserted on prior motions briefed before the court can or cannot be filed at this
14 juncture, which this stipulation does not address.

15
16 Accordingly,

17 This Stipulation is entered into for the following reasons:

18 1. That Counsel Schonfeld has just recently substituted in for Defendant Galecki and
19 has not received discovery in this matter; notwithstanding multiple requests having been made to
20 prior counsel William H. Gamage;

21 2. That Counsel Schonfeld needs the additional time to prepare pretrial Motions as a
22 result of his recent appearance in this case;

23 3. That Counsel Schonfeld has been in communication counsel for the co-defendants
24 and counsel for the government and there is no objection to the continuance as outlined above;

4. For all the above-stated reasons, the ends of justice would best be served by a continuance of the parties' motions deadline, response deadline, reply deadline;

5. Denial of this request for continuance of the pretrial motions deadline would deny counsel for Defendant sufficient time within which to be able to adequately research, prepare, and submit for filing appropriate motions taking into account the exercise of due diligence;

6. Additionally, denial of this request for continuance would result in a miscarriage of justice;

7. For all the above-stated reasons, the ends of justice would best be served by a continuance for the parties' pretrial motions, response deadline and Reply deadline;

8. This is Counsel Schonfeld's first request for continuance of the pretrial motions, response deadlines and Reply deadline on behalf of the Defendant Galecki.

DATED this day of November, 2017.

UNITED STATES ATTORNEY

CHESNOFF & SCHONFELD

/s/
JAMES E. KELLER, AUSA
100 West Liberty
Reno, Nevada 89501
Attorney for Plaintiff

/s/

DAVID Z. CHESNOFF, ESQ.
Nevada Bar No. 2292

RICHARD A. SCHONFELD, ESQ.
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Las Vegas, Nevada 89101
Attorney for Defendant,
Benjamin Galecki

COLE RADOVICH / Trial Attorney
Narcotic and Dangerous Drug Section
Criminal Division / U.S. Department of Justice
145 N Street NE / Second Floor, East Wing
Washington D.C. 20530

1 /s/

JOHN LLOYD SNOOK, III

Snoot & Haughey, P.C.

408 East Market Street, Suite 107

Charlottesville, Virginia 22902

Attorney for Defendant, Charles Burton Ritchie

5 /s/

SHAWN R. PEREZ, ESQ.

Law Office of Shawn R. Perez

626 South Third Street

Las Vegas, Nevada 89101

Attorney for Defendant, Ryan Matthew Eaton

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Based upon the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

2. That Counsel Schonfeld needs the additional time to prepare pretrial Motions as a result of his recent appearance in this case;

4. For all the above-stated reasons, the ends of justice would best be served by a continuance of the parties' motions deadline, response deadline, reply deadline;

6. Additionally, denial of this request for continuance would result in a miscarriage of justice;

8. This is Counsel Schonfeld's first request for continuance of the pretrial motions, response deadlines and Reply deadline on behalf of the Defendant Galecki.

1 **ORDER**

2 **IT IS HEREBY ORDERED** that the parties herein shall be have to and including January
3 16, 2018, within which to file any and all pre-trial motions.

4 **IT IS FURTHER ORDERED** that the parties herein shall have to and including February
5 9, 2018, within which to file any and all responsive pleadings.

6 **IT IS FURTHER ORDERED** that the parties herein shall have to and including February
7 19, 2018, within which to file any and all replies.

8 **IT IS FURTHER ORDERED** that the calendar call scheduled for May 15, 2018 at 8:45
9 a.m. in this matter will commence on the scheduled date and time and is not impacted by this
10 Stipulation. That the trial in this matter currently scheduled for May 21, 2018, at the hour of 9:00
11 a.m., will commence on the scheduled date and time and is not impacted by this Stipulation.
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13 **DATED** this 1st day of December, 2017.
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17 **UNITED STATES DISTRICT JUDGE**

18 Submitted by:

19 /s/
20 **RICHARD A. SCHONFELD, ESQ.**
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